

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 2:08CR25

BRYAN KOVATCH

ORDER

This cause is before the Court on a Motion for Continuance of Trial [13] by defendant Kovatch. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for May 19, 2008. Counsel for defendant avers that he has recently been appointed to represent the defendant and requires additional time to conduct discovery and necessary investigative activities. The government has no objection to the relief requested in the instant motion. Based on the foregoing, the Court finds that the defendant's Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from May 19, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant Kovatch's Motion for Continuance of Trial [13] is GRANTED;
2. That the trial of this matter is continued until Monday, June 30, 2008 at 9:00 a.m.
in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from May 19, 2008 until June 30, 2008 is excluded as set out above;
4. That the deadline for filing pretrial motions is June 9, 2008;
5. That the deadline for submitting a plea agreement is June 16, 2008.

SO ORDERED, this the 7th day of April, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE